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Dated: June 29, 2001 Signature: *Reza Mollaaghababa*

(Reza Mollaaghababa)

Docket No.: 102689-0033  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re CIP Application of: Chris R. Noel, et al.

Application No.: 09/616,477

Group Art Unit: 2731

Filed: July 17, 2000

Examiner: Not Yet Assigned

For: UPPER LAYER NETWORK DEVICE  
INCLUDING A PHYSICAL LAYER TEST  
PORT

#5/B  
L. McLaughlin  
7.12.01

**PRELIMINARY AMENDMENT**

**RECEIVED**

JUL 10 2001

Technology Center 2600

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Prior to examining the above-referenced patent application, please amend the application to add new claims 45-53 as shown on the attached sheets. Support for these amendments can be found throughout the specification. Thus, no new matter is added, and the entry of the amendments is respectfully requested.

Dated: June 29, 2001

Respectfully submitted,

By *Reza Mollaaghababa*

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01 FC:203  
02 FC:202

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120.00 OP